

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

1 Jul 21, 2021
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SEAN F. MCVOY, CLERK

5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON
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9 PAMELA K.,
10
11 v.
12

13 KILOLO KIJAKAZI, ACTING
14 COMMISSIONER OF SOCIAL
15 SECURITY,¹
16
17 Defendant.

18 No. 1:20-CV-3214-JTR
19

20 ORDER GRANTING STIPULATED
21 MOTION FOR REMAND
22 PURSUANT TO SENTENCE FOUR
23 OF 42 U.S.C. § 405(g)
24

25 **BEFORE THE COURT** is the parties' stipulated motion to remand the
26 above-captioned matter to the Commissioner for additional administrative
27 proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 16.
28 Attorney D. James Tree represents Plaintiff; Special Assistant United States
Attorney Shata Ling Stucky represents Defendant. The parties have consented to
proceed before a magistrate judge. ECF No. 4. After considering the file and
proposed order, **IT IS ORDERED:**

29 1. The parties' Stipulated Motion for Remand, **ECF No. 16**, is
30 **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the
31 Commissioner of Social Security for further administrative action pursuant to
32 sentence four of 42 U.S.C. § 405(g).

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35 ¹Kilolo Kijakazi became the Acting Commissioner of Social Security on
36 July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure,
37 Kilolo Kijakazi is substituted for Andrew M. Saul as the defendant in this suit. No
38 further action need be taken to continue this suit. *See* 42 U.S.C. § 405(g).

1 On remand, the Appeals Council will instruct the Administrative Law Judge
2 to do the following: (1) reevaluate the medical opinions and prior administrative
3 medical findings; (2) reevaluate Plaintiff's maximum residual functional capacity;
4 (3) obtain supplemental vocational expert evidence to clarify the effect of the
5 assessed limitations on Plaintiff's ability to perform other work in the national
6 economy; (4) offer Plaintiff the opportunity for a new hearing; (5) take any further
7 action needed to complete the administrative record; and (6) issue a new decision.

8 **2. Judgment shall be entered for PLAINTIFF.**

9 **3. Plaintiff's Motion for Summary Judgment, ECF No. 13, is**
10 **STRICKEN AS MOOT.**

11 **4. An application for attorney fees and costs may be filed by separate**
12 **motion.**

13 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
14 Order, forward copies to counsel, and **CLOSE THE FILE.**

15 DATED July 21, 2021.



A handwritten signature in black ink, appearing to read "J.T.R." or "John T. Rodgers".

16 JOHN T. RODGERS
17 UNITED STATES MAGISTRATE JUDGE
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